UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

CEMEX, INC.

and	Cases 28-CA-22165
	28-CA-22169
	28-CA-22220
	28-CA-22313
	28-CA-22409
	28-CA-22534
	28-CA-22699
	28-CA-22711
	28-CA-22726
	28-CA-22967

GENERAL TEAMSTERS (EXCLUDING MAILERS), STATE OF ARIZONA, LOCAL UNION NO. 104, AN AFFILIATE OF THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS

CEMEX, INC.

and

Cases 28-CA-22267 28-CA-22419 28-CA-22823 28-CA-22894

INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 428, AFL-CIO

RESPONDENT'S REQUEST REGARDING CONSIDERATION OF SPECIAL APPEAL

Respondent requests the Board to expeditiously consider its request for special appeal, filed on September 14, 2010, so that Respondent can ensure that it has exhausted its administrative remedies prior to an anticipated enforcement action in federal district court.

RESPECTFULLY SUBMITTED this 29th day of September, 2010.

STEPTOE & JOHNSON LLP

By /s/ Steven D. Wheeless

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the **RESPONDENT'S REQUEST REGARDING CONSIDERATION OF SPECIAL APPEAL**, in Cases 28-CA-22165 et al., was served via E-Gov, E-Filing, facsimile, and e-mail on this 29th day of September, 2010, on the following:

Via E-Gov E-Filing:

Lester A. Heltzer, Executive Secretary Office of the Executive Secretary National Labor Relations Board 1099 14th Street, NW, Rm. 11602 Washington, D.C. 20570-0001

Honorable Mary M. Cracraft Associate Chief Administrative Law Judge Division of Judges National Labor Relations Board 901 Market Street, Suite 300 San Francisco, CA 94103-1779

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/s/ Monica Medlin, Legal Secretary